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BANK OF AMERICA, N.A.

[ADDITIONAL COUNSEL APPEAR  
ON PAGE 5]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MELVIN SALVESON, an individual,  
EDWARD LAWRENCE, an individual,  
DIANNA LAWRENCE, an individual, and  
WENDY M. ADAMS, an individual on behalf of  
themselves and those similarly situated,

Plaintiffs,

v.

JP MORGAN CHASE & CO; J.P. MORGAN  
BANK, N.A.; BANK OF AMERICA  
CORPORATION; BANK OF AMERICA N.A.;  
CAPITAL ONE F.S.B.; CAPITAL ONE  
FINANCIAL CORPORATION; CAPITAL ONE  
BANK; HSBC FINANCE CORPORATION;  
HSBC BANK USA, N.A.; HSBC NORTH  
AMERICAN HOLDINGS, INC.; HSBC  
HOLDINGS, PLC,

Defendants.

Case No. 4:13-cv-05816-SBA

**CLASS ACTION**

**JOINT STIPULATION AS TO  
DEADLINES FOR MOTION  
PRACTICE**

Hon. Sandra Brown Armstrong

1 Pursuant to Local Rule 6-2(a), it is hereby stipulated by Plaintiffs Melvin Salveson,  
2 Edward Lawrence, Dianna Lawrence, and Wendy M. Adams (“Plaintiffs”) and Defendants  
3 JP Morgan Chase & Co; J.P. Morgan Bank, N.A.; Bank of America Corporation; Bank of  
4 America N.A.; Capital One F.S.B.; Capital One Financial Corporation; Capital One Bank; HSBC  
5 Finance Corporation; HSBC Bank USA, N.A.; HSBC North American Holdings, Inc.; and HSBC  
6 Holdings, PLC (“Defendants”) as follows:

7 WHEREAS, Plaintiffs filed the Class Action Complaint (the “Complaint”) in this case on  
8 December 16, 2013;

9 WHEREAS, the parties have previously stipulated to a modification of Defendants’ time  
10 to respond to the Complaint;

11 WHEREAS, Defendants will file a Motion to Dismiss on or before March 28, 2014;

12 WHEREAS, Plaintiffs have indicated their intention to file a Motion for Collateral  
13 Estoppel;

14 WHEREAS, the parties agree that it would be efficient for the Court to hear the Motion to  
15 Dismiss and Motion for Collateral Estoppel at the same time;

16 ACCORDINGLY, in light of the complex issues and complex factual and procedural  
17 background in this case, the parties have agreed to a proposed briefing schedule for Defendants’  
18 Motion to Dismiss and Plaintiffs’ Motion for Collateral Estoppel as described below;

19 Pursuant to Local Rule 6-2(a), IT IS HEREBY STIPULATED AND AGREED by the  
20 parties, through their counsel, as follows:

- 21 1. Plaintiffs shall file their opposition to Defendants’ Motion to Dismiss, on or before  
22 May 16, 2014;
  - 23 2. Defendants shall file their reply in support of their Motion to Dismiss, on or before  
24 June 10, 2014;
  - 25 3. Plaintiffs shall file their Motion for Collateral Estoppel on or before March 28, 2014;
- 26  
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1 4. Defendants shall file their opposition to Plaintiffs' Motion for Collateral Estoppel, on  
2 or before May 16, 2014;

3 5. Plaintiffs shall file their reply in support of their Motion for Collateral Estoppel, on or  
4 before June 10, 2014.

5  
6 Dated: February 5, 2014

JOSEPH M. ALIOTO  
THERESA D. MOORE  
JAMIE MILLER  
**ALIOTO LAW FIRM**

LINGEL H. WINTERS  
**LAW OFFICE OF LINGEL H. WINTERS**

11 By: /s/ Joseph M. Alioto  
12 Joseph M. Alioto

13 *Attorneys for Plaintiffs*

14  
15  
16 Dated: February 5, 2014

JEFFREY K. ROSENBERG  
**MORRISON & FOERSTER LLP**

18 By: /s/ Jeffrey K. Rosenberg  
19 Jeffrey K. Rosenberg

20 *Attorney for Defendants*  
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22 BANK OF AMERICA, N.A.

23 TIMOTHY A. MILLER  
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& FLOM LLP**

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25 By: /s/ Timothy A. Miller  
26 Timothy A. Miller

27 *Attorney for Defendants*  
28 JPMORGAN CHASE & CO.; JPMORGAN  
CHASE BANK, N.A.

1  
2 ANDREW J. FRACKMAN  
3 **O'MELVENY & MYERS LLP**

4 By: /s/ Matt Powers  
5 Matt Powers

6 *Attorney for Defendants*  
7 CAPITAL ONE F.S.B.; CAPITAL ONE  
8 FINANCIAL CORPORATION; CAPITAL  
9 ONE BANK.

10 MICHAEL A. MUGMON  
11 **WILMER CUTLER PICKERING HALE  
12 AND DORR LLP**

13 By: /s/ Michael A. Mugmon  
14 Michael A. Mugmon

15 *Attorney for Defendants*  
16 HSBC FINANCE CORPORATION; HSBC  
17 BANK USA, N.A.; HSBC NORTH  
18 AMERICA HOLDINGS, INC.; HSBC  
19 HOLDINGS, PLC  
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CAPITAL ONE FINANCIAL CORPORATION;  
CAPITAL ONE BANK

**ECF ATTESTATION**

I, Jeffrey K. Rosenberg, am the ECF User whose ID and Password are being used to file this:

**JOINT STIPULATION AS TO DEADLINES FOR MOTION PRACTICE**

In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Joseph M. Alioto, Timothy A. Miller, Andrew J. Frackman, and Michael A. Mugmon concurred in this filing.

Dated: February 5, 2014

MORRISON & FOERSTER LLP

By: /s/ Jeffrey K. Rosenberg


Jeffrey K. Rosenberg

**PROPOSED ORDER**

PURSUANT TO STIPULATION, IT IS ORDERED THAT:

1. Plaintiffs shall file their opposition to Defendants' Motion to Dismiss, on or before May 16, 2014;
2. Defendants shall file their reply in support of their Motion to Dismiss, on or before June 10, 2014;
3. Plaintiffs shall file their Motion for Collateral Estoppel on or before March 28, 2014;
4. Defendants shall file an opposition to Plaintiffs' Motion for Collateral Estoppel, on or before May 16, 2014;
5. Plaintiffs shall file their reply in support of their Motion for Collateral Estoppel, on or before June 10, 2014.

Dated: March 6, 2014

  
Honorable Sandra Brown Armstrong  
United States District Judge